

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

SEAN RALSTON

§

VS.

§

CIVIL ACTION NO. 9:18cv83

DONNA G. KASPER, ET AL.

§

ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Sean Ralston, an inmate confined at the Eastham Unit of the Texas Department of Criminal Justice, Correctional Institution Division, proceeding *pro se*, filed this civil rights lawsuit against Donna G. Casper, Diego Rodriguez and Ken Paxton.

The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit be dismissed for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Plaintiff filed objections.

The court has conducted a *de novo* review of the objections in light of the record and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff complains the defendants failed to investigate criminal complaints he filed regarding a correctional officer or take steps to prosecute the officer. However, the alleged failure to investigate criminal complaints and take actions in response to them does not provide a basis for a civil rights lawsuit. *Oliver v. Collins*, 904 F.2d 278, 281 (5th Cir. 1990).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED** as

the opinion of the court. A final judgment shall be entered dismissing this lawsuit.

So **ORDERED** and **SIGNED January 30, 2019.**

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, Senior District Judge